



#9B  
YC  
4-17-02

DOCKET NO. 2343-104-27

TECH CENTER 1600  
APR 03 2002  
2000

RECEIVED

APR 03 2002

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Randal K. BUDDINGTON, et al. ART UNIT: 1615

SERIAL NO.: 09/671,106

EXAMINER: Charesse Evans

FILING DATE: September 28, 2000

FOR: INHIBITION OF SYSTEMIC INFECTIONS IN HUMANS AND  
VERTEBRATES BY DIETARY FIBERS

**AMENDMENT**

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

Reconsideration of the final Office Action dated January 14, 2002 in view of the following remarks is respectfully requested.

**IN THE CLAIMS**

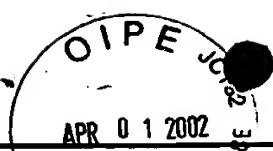
Please cancel Claims 1, 4-7 and 15 and amend the remaining claims as follows:

*B*  
8. (Amended) A method for the prevention of systemic infections in humans or vertebrates caused by pathogenic bacteria comprising administering to humans or vertebrates at an increased risk of developing systemic infections a composition containing an effective amount of a dietary fiber or a mixture of dietary fibers.

*B2*  
16. (Amended) The method according to Claim 20, wherein the dietary fiber is selected from the group consisting of lignin, cellulose, hemicellulose, pectin, gums, arabic gum, carrageenan, waxes, resistant oligosaccharides, oligofructose, resistant polysaccharides, resistant starch and fructan.

*B3*  
20. (Amended) A method for the inhibition and/or treatment of systemic infections in humans or vertebrates comprising administering to humans or vertebrates having a systemic infection

*Sub C1*



RCE/1602  
#  
4-1702  
TECH CENTER 1600/2000  
APR 03 2002  
RECEIVED

**REQUEST FOR  
CONTINUED EXAMINATION  
(RCE)**

Application Number	09/671,106
Filing Date	September 28, 2000
First Named Inventor	Randal K. BUDDINGTON
Group Art Unit	1615
Examiner Name	Charesse L. Evans
Attorney Docket Number	2343-104-27

This is a Request for Continued Examination under 37 C.F.R. 1.114 of the above-identified application.

Note: If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA.

**1. Submission required under 37 C.F.R. 1.114**

- a.  Previously submitted
  - i.  Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on October 31, 2001. (Any unentered amendment(s) referred to above will be entered).
  - ii.  Consider the arguments in the Appeal Brief or Reply Brief filed on \_\_\_\_\_.
  - iii.  Other: \_\_\_\_\_.
- b.  Enclosed
  - i.  Amendment (including attachment)
  - ii.  Information Disclosure Statement (IDS)

**2. Miscellaneous**

Suspension of action on the above-identified application is requested under 37 C.F.R. 1.103(c)

- a.  for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. 1.17(i) required).
- b.  Other \_\_\_\_\_.

**3. Fees** The RCE fee under 37 C.F.R. 1.17(e) is required by 37 C.F.R. 1.114 when the RCE is filed.

- a.  The Director is hereby authorized to charge the following fees, or credit any overpayments to Deposit Account No. 50-1442.
  - i.  RCE fee required under 37 C.F.R. 1.17(e).
  - ii.  Extension of time fee (37 C.F.R. 1.136 and 1.17).
  - iii.  Other Cited Documents (5).
- b.  Check in the amount of \$ 370.00 enclosed.

**CORRESPONDENCE ADDRESS**

Supervisor, Patent Prosecution Services  
 PIPER MARBURY RUDNICK & WOLFE LLP  
 1200 Nineteenth Street, N.W.  
 Washington, D.C. 20036-2412  
 Telephone No. (202) 861-3900  
 Facsimile No. (202) 223-2085

04/22/2002 CHNGUYEN 00000061 09671106

01 C:279

370.00 OP

Name:	Steven B. Kelber	Registration No.:	30,073
Signature:		Date:	4/1/2002
Name:	Christopher W. Raimund	Registration No.:	47,258